

**CONSERVATION WORKING GROUP**  
**5/19/10**  
**Environmental Defense Center Conference Room,**  
**906 Garden Street, Santa Barbara**

Present: Greg Helms (The Ocean Conservancy), Kristi Birney Rieman (Environmental Defense Center), Michael Sheehy (SB Channelkeeper), Jackie Dragon (Pacific Environment via phone), Debra Herring, Gail Osherenko, Jean Holmes (League of Women Voters), Rene Callahan (Bren Vessel Collision Masters Group Project).

CINMS Staff: Michael Murray

**I. INTRODUCTION**

Attendees introduced themselves.

**II. OCEAN ACIDIFICATION**

- A. West Coast Ocean Acidification Task Force: Kristi announced that the West Coast Ocean Acidification Task Force held its first meeting in April. The Task Force developed a plan with 6 strategies (monitoring, research, resource protection, operations, education, and outreach). The next step is for each Sanctuary staff to coordinate with representatives at the other Sanctuary sites and start drafting their respective strategy sections of the report.
- B. EPA- Water Quality Act and Ocean Acidification. Kristi reported that the EPA is soliciting comments to determine if it should use the Clean Water Act Section 303(d) to address ocean acidification. EDC has submitted comments on this topic and they are available by request to [Kristi@edcnet.org](mailto:Kristi@edcnet.org).
- C. NOAA Progress. Mike reported that NOAA just completed the "NOAA Ocean and Great Lakes Acidification Research Implementation Plan" that will be available online in the near future. In addition, NOAA's deep sea coral cruise aboard the *MacArthur II* is scheduled for this summer. The cruise will start in Washington and work down the coast. CINMS staff will attempt to coordinate to get OA sampling in the SB Channel.
- D. MERITO. The MERITO program has implemented their new teaching module on Ocean Acidification and has received several requests from other agencies and organizations to share the module.

**III. SHIPPING**

- A. SAC Follow-up: Kristi reported that Linda and she had a phone conversation with Dan Basta to discuss how the SAC could help ensure that acoustic work in the CINMS continued and how to improve the program.
- B. Acoustics Report follow-up: The CWG has drafted a cover letter and resolution requesting additional investment of financial resources to further acoustic monitoring and research at the CINMS. The resolution requests adequate and stable funding, equipment

and personnel resources to address acoustics in the Sanctuary. Mike Sheehy expressed interest in including a budget with the resolution. Mike Murray indicated he would talk to Steve Katz to develop a ball park figure with a high and low budget estimate for each resolution item. Mike reported that at the SAC Summit he and Eric Kett (SAC Chair) let Dan Basta know the resolution was in the works, and he in turn let all the SAC Chairs know about the resolution. Mike has received several requests from other sites expressing interest in the resolution.

C. PARS. The US Coast Guard (USCG) is soliciting comments on the Port Access Route Study (PARS). The CWG is proposing the SAC submit a comment letter that urges the USCG to consider not only vessel safety but also Sanctuary resources, such as the needs of large whales and other marine life in and near the CINMS. The comment deadline is June 7<sup>th</sup>. Comments can be viewed and submitted at [www.regulations.gov](http://www.regulations.gov) (enter the docket code "USCG-2009-0765").

D. NMFS science workshop: Mike announced that NMFS Southwest Region is convening a workshop with the NOAA Science Center on May 19<sup>th</sup> & 20<sup>th</sup>. The two day workshop will focus on improving the understanding of risks of vessel collisions with large whales, with an emphasis on the U.S. West Coast; identifying data needs, determining how to fill data gaps; and creating a foundation for future work.

#### **IV. MLPA/MARINE RESERVES**

Greg reported on the progress and status of the MLPA process. In April, the Fish and Game Commission selected the Blue Ribbon Task Force recommendation as the proposed project to undergo environmental review. The next Fish and Game Commission meeting will be held on May 20 in Sacramento. A final decision on the MLPA plan (following environmental review) is expected to occur in October.

The Commission will meet in the SB/Carp area in August, which will provide a valuable opportunity for local input regarding the MLPA process and options.

#### **V. OFFSHORE RENEWABLE ENERGY**

A. CWG report: Kristi provided an update regarding the preparation of our Offshore Renewable Energy report. In the summer, there will be a new Bren intern to delve into the statutory and regulatory framework and issues regarding such projects. Kristi encouraged input from anyone who has information, interest and/or concerns. Mike commented that Liam Antrim, the Resource Protection Coordinator at the Olympic Coast National Marine Sanctuary, has collected and reviewed a lot of information on wave energy and the SAC for the Hawaiian Islands Humpback Whale National Marine Sanctuary has adopted position statements concerning placement of alternative energy projects within the sanctuary. Mike also reported that Linda Krop will attend the Capitol Hill Oceans Week to hear workshops and presentations on energy and the oceans with specific focus on offshore renewable energy presentations. See agenda at <http://www.nmsfocean.org/CHOW-2010-agenda>.

B. WaveConnect project; stakeholder nominations: Kristi informed the group that PG&E has received their preliminary permit to move forward and begin the process of determining if wave energy is feasible in the proposed project area.

## **VI. AQUACULTURE**

A. NOAA proposed policy: Kristi reported that NOAA is developing a draft policy statement and will provide an opportunity for public “listening sessions.” Kristi reported that EDC submitted comments on the NOAA policy and these comments integrate recommendations outlined the CWG report on open ocean aquaculture. Mike reported that the CINMS also recommended that Headquarters staff incorporate the CWG report recommendations into the NOAA policy.

B. HR 4363 (Capps): Kristi reported that EDC has submitted a letter of support for Congresswoman Capps’ legislation that would establish a national ocean aquaculture program with substantial environmental safeguards and standards. Anyone interested in receiving a copy of the comments can contact Kristi at [Kristi@edcnet.org](mailto:Kristi@edcnet.org).

## **VII. RIGS TO REEFS**

A. AB 2503: Speaker of the Assembly Perez introduced legislation to establish a state rigs-to-reefs program. Kristi and Linda are reviewing the legislation and will contact Perez’s staff. Jean indicated that there may have been a hearing this week in Sacramento to discuss this bill.

B. CA Resources Agency/OST Study: Kristi reported that the California Ocean Protection Council will be holding a meeting in Santa Barbara on June 25<sup>th</sup> and 25<sup>th</sup>. We have heard that the OST study about rigs to reefs will be discussed at this meeting. In large part, there is a concern that the study does not help fill the “data gaps” identified by the stakeholders, and that there are too many assumptions that are not necessarily justified. An additional concern relates to the fact that the consultant developed a decision-making model despite the lack of scientifically based, objective data. Gail asked if the CWG has taken a position on the R2R issue and suggested that this could be a future discussion for the CWG.

## **VIII. OTHER ISSUES**

A. Mike reported that sanctuary staff had been contacted about a Biological and Behavioral Response Study of Marine Mammals in Southern California proposed by Sea Inc. The study is designed to increase understanding of marine mammal’s behavior and reaction to sound. The information gained during this study will be used to inform both conservation management and military environmental review requirements. Kristi reported that EDC has been briefed on this project too. More information is available at: <http://www.sea-inc.net/SOCAL10>.

B. Mike mentioned that a big theme at the SAC Summit was the importance of reauthorizing the National Marine Sanctuaries Act. Lois Capps has drafted a bill that may soon be release publicly. Capps' office is working on inviting all 14 SAC chairs to participate in a conference call on this bill. The call may take place before the end of the month. SAC chairs would participate as individuals, as federal rules do not allow SACs (as groups) to lobby Congress. Mike noted that SACs can write to NOAA to let them know how the Council feels and if this item should be an agency priority. Kristi proposed having the CWG recommend that the SAC Chair and anyone else who participates in the call report back to the SAC at the next SAC meeting and that this be an agenda item. CWG participants were in favor of putting this item on the next SAC agenda.

C. Mike reported that the application for empty SAC members and alternates will be extended another month. This includes the following seats:

- Education alternate
- Chumash community
- Commercial fishing alternate